

Employee Support Services Section

A Guide for Supervisors



**Miami Dade County
Employee Relations Department
Career Development Division**



INTRODUCTION

Miami-Dade County managers and supervisors are charged with the daily responsibility for the County's most important asset, the employees. Only when employees are at their very best can they perform efficiently on the job.

At times, all of us face problems and need help. Employee Support Services Section (ESSS) recognizes that employees sometimes have personal problems that adversely affect every aspect of their lives, and weaken their ability to perform satisfactorily on the job. The County made a commitment to help those employees experiencing difficult times with the creation of the Employee Support Services Section (ESSS), formerly, Employee Assistance Program (EAP) in 1984.

For the past nineteen years, all segments of Miami-Dade County government, from the County Manager's Office, the County Commissioners, and individual employees, including their family members, has often praised the services offered by the ESSS. This data reaffirms the ESSS' commitment towards the rehabilitation and reintegration of existing employees, which is far more desirable and cost effective than replacing these individuals with new hires, subsequent to an often-lengthy disciplinary process.

This comprehensive manual has been prepared to acquaint you with the warning signs associated with personal problems affecting the employee's job performance, and to inform you about the services of our ESSS. Each manager and supervisor is encouraged to become thoroughly familiar with its contents.

TABLE OF CONTENTS

INTRODUCTORY MATERIAL	<u>PAGE</u>
Introduction.....	i
Table of Contents.....	ii
 <u>SECTION</u>	
CONFIDENTIALITY	
I. Admissions	1
I.01 Voluntary Admission	1
I.02 Involuntary Admission.....	1
Admission Kind & Progressive Supervisory Steps.....	2
I.01 Voluntary Admission	2
I.02 Involuntary Admission	2
II. Overview of the Supervisor's Role	3
II.01 Observe.....	3
II.02 Inform	3
II.03 Prepare.....	3
II.04 Document.....	4
II.05 Confront.....	4
II.06 Follow Up	4
II.07 Refer.....	4
II.08 Reintegrate.....	5
II.09 Initiate Progressive Discipline.....	5
II.10 Summary of Supervisor's Responsibility	5
III. Supervisor's Role —Observe!.....	6
III.01 Patterns of Job Performance Deterioration	6
III.02 General but Possible Patterns of Trouble with Substance Abuse....	8
IV. Supervisor's Role —Prepare!.....	9
Preparation List for Noting Patterns	
IV.01 Absenteeism	9
IV.02 On-the-Job Absenteeism.....	9
IV.03 High Accident Rate	10
IV.04 Difficulty in Concentration	10
IV.05 Confusion	10
IV.06 Spasmodic Work Patterns	10
IV.07 Appearance.....	10
IV.08 Generally Lowered Job Efficiency	10
IV.09 Employee Relations On-the-Job.....	11

	<u>PAGE</u>
V. Supervisor's Role—Document!	12
V.01 Document Job Performance.....	13
V.02 Reasons for Documentation	14
VI. Supervisor's Role—Confront!	15
VI.01 Constructive Confrontation Policy	15
VI.02 Constructive Confrontation Procedures	15
VII. Supervisor's Role—Refer, Follow –Up, Reintegrate, or Initiate Progressive Discipline	17
VII.01 Refer.....	17
VII.02 Follow-Up	17
VII.03 Reintegrate.....	18
VII.04 Initiate Progressive Discipline	18
VIII. Common Mistakes of Supervisors	19
VIII.01 The Stigma.....	19
VIII.02 The Fear of Jeopardizing Someone's Career	19
VIII.03 the Time Excuse.....	19
VIII.04 The Fear of Losing a Good Worker	19
VIII.05 The Fear of Making a Mistake	19
VIII.06 The "It's My Problem; I'll solve it" Attitude	20
VIII.07 The Skid-Row Stereotype	20
VIII.08 The Supervisor's Own Personal Problems.....	20
VIII.09 Other Concerns and Excuses.....	20
IX. Legal Considerations for Supervisors	21
IX.01 Permitting an Intoxicated Employee to Drive Home	21
IX.02 Arranging a Ride for an Intoxicated Employee.....	21
IX.03 Suspending an Employee's Driving Privileges	21
X. Employees' Questions about the ESSS	22
XI. Management and Supervisors' Questions about the ESSS....	26

CONFIDENTIALITY

Like most programs that provide employee assistance services, the ESSS program meets and adheres to the Privacy Practices confidentiality laws.

Whether a referral is voluntary or supervisory, managers and administrators must guard employee's information and respect their right to privacy.

It is the policy of Miami-Dade County and all its departments to protect the privacy and confidentiality of all customers' identifiable, personal, and confidential information including, but not limited to, protected health information, as required by federal, state, and local laws.

Admissions:

The Employee Support Services Section (ESSS) deals with two kinds of admission:

1. **VOLUNTARY ADMISSION**—occurs at the employee's own initiative. The employee, recognizing a possible need for assistance, consults with an ESSS representative before job performance problems become an issue. No feedback is given to the supervisor under this type of referral. The self-referral might be encouraged by the supervisor, a labor union representative, a co-worker, or a family member.
2. **INVOLUNTARY ADMISSION**—is initiated by departments when an employee tests positive on a drug test, or when another serious offense occurs. For instance, low job productivity, or acting out behavior that puts at risk his/her employment, and demands intervention. In such circumstances, abuse of drugs may be suspected. Therefore, the County personnel order a drug test when the following applies: (1) for cause (following an accident), (2) for reasonable suspicion (acting out behavior--indicating problems), (3) threats (violence on the job). When this occurs, a referral to the ESSS program is generated and compliance with the program's treatment and recommendations becomes a pre-requisite for continuation of employment with the County.

Problems that affect work performance are a legitimate concern to Miami-Dade County. One of your functions, as a supervisor, is to identify poor performance by employees and take corrective action. Your early identification and referral of the employee for help can result in improved job performance and help the individual lead a more productive life. Supervisors will find this manual very helpful and will use it as a tool to understand how the two different kinds of Employee Support Services admissions interface with the Miami-Dade County Progressive Disciplinary Process.

ESSS ADMISSIONS & PROGRESSIVE SUPERVISOR STEPS:

1. VOLUNTARY ADMISSION

If the employee comes as a voluntary ESSS admission, but on administrative leave time, the supervisor can inquire whether the employee kept the initial assessment appointment. No further information will be given without a signed written consent from the employee.

Types of Voluntary Admission

- Employee comes entirely on his/her own with no suggestion from any other person
- Employee comes at suggestion/urging of family or friends.
- Employee comes at suggestion/urging of labor union representative.
- Employee comes at informal suggestion/urging of supervisor or other personnel representative

2. INVOLUNTARY ADMISSION

With an involuntary ESSS admission, the employee's supervisor or designated personnel representative may inquire about the employee's enrollment participation and level of compliance with the instructions of the ESSS.

Types of Involuntary Admission

- Employee comes to the ESSS as a result of a Disciplinary Action Report outlining any contracted conditions of employment regarding participation in the ESSS

Not all attendance or performance problems should be referred to the Employee Support Services Section. The program does not intend to pre-empt a supervisor's labor management responsibilities in these cases. The program should not be viewed as a disciplinary method, but as another option or tool for supervisors to use in correcting difficult performance problems and helping the employee to retain his or her job.

Section II

OVERVIEW OF THE SUPERVISOR'S ROLE

The following information should be used as a general guideline for dealing with performance problems and for making a supervisory referral to the Employee Support Services Section Program. In all cases, however, administrative and disciplinary procedures may be applied as appropriate. ESSS referrals are not to be seen by the employee as disciplinary action, nor are they a substitute for appropriate disciplinary action.

As a supervisor, you should be alert to the employee's need for help, observe changes in behavior patterns, and offer an expert referral.

There are eight basic procedures to follow when referring an individual to the Employee Support Services Section (ESSS). The supervisor should take the following steps in serving the needs of the employee:

1. **OBSERVE**—changes in employee behavior can signify that individuals have personal concerns that are interfering with their work performance
2. **INFORM**—prior to any counseling, informal or formal, the employees must be fully aware of the rules and regulations, departmental policies, and supervisory expectations and the consequences, which will result from a violation
3. **PREPARE**—when you have observed deteriorating performance and/or unfavorable changes in personal or work patterns, your options to assist an employee include:
 - Discussing performance difficulties with the individual before the difficulties become serious enough to involve higher supervision.
 - Inform the individual about the availability of the Employee Support Services Program
 - Discussing the matter with your immediate supervisor, particularly before discussing it for a second time with the employee
 - Contacting the Employee Support Services Section directly to discuss the advisability and procedures for referral
 - Keeping in mind that your primary objective as a supervisor is not to determine the employee's underlying problem
 - Remembering your objective should be to advise the employee of the specifics of his or her poor performance and to get agreement on the method to reverse the performance.

4. **DOCUMENT**—as a supervisor, when you are faced with declining or erratic performance, you need to document observable and verifiable facts. Complete, accurate documentation is essential when dealing with an employee with performance problems.
5. **CONFRONT**— you should schedule a private discussion to advise the employee that:
 - Corrective action must be taken to address unacceptable work behavior
 - Professional help is available from the Employee Support Services Section if emotional or other personal problems are contributing to their unacceptable performance
 - Further steps may be taken if the employee's performance does not improve in a reasonable time
6. **FOLLOW UP**—occurs after your initial performance discussion with the employee, and after advising the individual of the availability of the Employee Support Services program
7. **REFER**— referrals can be initiated and encouraged by any of the following:
 - SELF – an employee may call the ESSS directly and schedule an appointment. The supervisor may never know that the employee has been admitted into the program (unless the employee authorizes the disclosure in writing)
 - SUPERVISOR – supervisors should contact the ESSS directly for consultation regarding the referral process. Once they have the employee's permission, they may schedule an appointment. The employee will usually be seen within two working days of the call. If the employee comes to the ESSS during work hours, the supervisor is authorized to give the employee three hours of administrative leave time for the appointment
 - UNION – labor union stewards may contact the ESSS and initiate a referral. Their process is nearly identical to a supervisory referral, except that the employee must receive leave authorization from the Department
 - CO-WORKER – a fellow employee may contact the ESSS (with the employee's permission) and schedule an appointment
 - FAMILY MEMBER – a family member may contact the ESSS for consultation and referral of the employee or themselves to the program

8. **REINTEGRATE** – if the employee has been out of work at the request of the ESSS and is now ready to return to work, then the ESSS will contact the supervisor to establish a back-to-work date

If a return to work conference is necessary, the discussion will focus on the following:

- Supervisor's expectations
 - Employee's responsibilities
 - Employee's special needs (i.e., after-care)
 - ESSS's continuing role
9. **INITIATE PROGRESSIVE DISCIPLINE** – if all the above efforts fail in bringing the employee to an acceptable and consistent level of work, progressive discipline in accordance with Miami-Dade County procedures may be the only option available to use

SUMMARY OF SUPERVISOR'S RESPONSIBILITIES:

SUPERVISORY DO'S

- Know your employees
- Document job performance regularly
- Take action whenever job performance fails
- Document objective facts that justify fitness-for-duty examination or mandatory ESSS referral
- Make sure unfit employees don't perform safety-sensitive job functions
- Know how to get help for an employee

SUPERVISORY DON'TS

- Try to get a confession
- Diagnose an employee's problem as drug use and/or alcohol abuse
- Discuss your suspicions with other employees (only your direct management.)
- Accuse employee of having a substance abuse problem
- Put in writing that an employee has a substance abuse problem or a mental health problem

Section III

SUPERVISOR'S ROLE – OBSERVE!

Supervisors are responsible for observing the following:

1. **PATTERNS OF JOB PERFORMANCE DETERIORATION** – the following words relate to job performance problems and should especially be noted if they are continuing and repeated. To act upon these concerns, documentation is required:

Absenteeism: patterns of absenteeism vary with each person. The following are some general patterns. Generally, any excess absenteeism or increases in absenteeism should be noted:

- Unauthorized leave
- Excessive sick leave
- Monday and/or Friday absences
- Repeated absences of 2-4 days
- Repeated absences of 1-2 weeks (5-10 days)
- Excessive tardiness Monday mornings
- Excessive tardiness after lunch
- Leaving work early
- Peculiar and improbable excuses for absences
- Higher absences for illness than the average
- Frequent unscheduled short-term absences

On-the-Job Absenteeism:

- More absences from post than job requires
- Frequent trips to water fountain or bathroom
- Long coffee breaks
- Physical illness on the job

High Accident Rate and/or More Accident Claims:

- Accidents on the job
- Frequent trips to the nurse's, or doctor's office
- Accidents off the job affecting performance

Difficulty in Concentration:

- Work requiring greater effort than usual
- Job taking more time than usual
- Possible hand tremor when concentrating

Confusion:

- Difficulty in recalling instructions, especially details
- Difficulty in handling complex assignments
- Difficulty in recalling mistakes
- Sporadic work patterns: alternate periods of very high and very low productivity
- Resistance to change on the job: changes may present a threat because current job may enable or hide low performance
- Coming to work in a non-acceptable condition

Generally Lowered Job Performance:

- Misses deadlines
- Makes mistakes due to inattention or poor judgment
- Wastes an excessive amount of material
- Makes bad decisions
- Offers improbable excuses for poor work performance

Deteriorating Personal Appearance/Grooming:

- Unshaven
- Hair not combed
- Inappropriate attire
- Body odor
- Lacking make-up (if normally used)

Employee Relations On-The-Job:

- Friction with supervisor and other employees
- Over-reacting to real or imagined criticism
- Wide swings in mood and morale
- Borrowing money from co-workers
- Complaints from co-workers
- Unreasonable resentments
- Avoiding associates

Key Indicators Related to Supervisory Personnel:

- Letting safety standards slip
- Issuing conflicting instructions
- Using employees time and skills ineffectively
- Submitting incomplete reports and data
- Becoming lax in supervisory duties

Key Indicators Related to Higher Management:

- Budgets being mismanaged
- Schedules fail to be coordinated
- Agency fails to deliver proper service
- Decisions are being made on insufficient data
- Poor judgment is affecting overall efficiency

Remember: All employees, including ourselves, exhibit some of these job performance problems on occasion. It is the pattern of performance over months that one should note and document. Time is the critical factor in:

- Establishing job performance standards
- Observing and documenting deterioration
- Evaluating improvement in job performance

Please note the following:

- Supervisors are not expected to be diagnosticians
- ESSS referrals are to be based on job performance problems and/or unacceptable behavior
- Early intervention is crucial to successful resolution of serious problems

2. GENERAL BUT POSSIBLE PATTERNS OF TROUBLE WITH SUBSTANCE ABUSE:

- Changes in attendance at work (absentee patterns)
- Changes in work habits, efficiency, etc. (lower quality or quantity of work)
- Changes in physical appearance (dress and hygiene)
- Wearing sunglasses at inappropriate times (indoors or at night)
- Unusual efforts to cover arms (possible needle marks)
- Association with known drug/alcohol abusers
- Stealing items which can be readily sold for cash
- Borrowing money from co-workers (possibly to buy drugs)
- Unusual excuses for behaviors
- Excessive nervousness
- On-the-job absenteeism (absences from work area)
- Spasmodic work pace
- Financial problems
- Depressed condition
- Avoidance of supervisor and co-workers
- Flushed face
- Resentfulness
- Family problems
- Increased incidence of illness
- Frequent non-work visits from other persons
- Defensiveness
- On-the-job accident/injuries

Section IV

SUPERVISOR'S ROLE – PREPARE!

The key words as pertaining to job performance are continued and repeated: ***please remember that problems need to be documented*** if the employee is to be confronted successfully. Therefore, it is important to note times, dates, etc., in your reports.

PREPARATION LIST FOR NOTING PATTERNS

1. **Absenteeism:** the patterns of absenteeism will vary with some employees. The following are some general patterns. Any excess or increase of absenteeism should be documented.

- ✓ Unauthorized leave _____
- ✓ Excessive sick leave _____
- ✓ Monday and/or Friday absences _____
- ✓ Repeated absences (2-4 days)
Excessive tardiness, especially on
Monday mornings or in returning
from lunch _____
- ✓ Repeated absences (1-2 weeks) _____
- ✓ Peculiar and improbable excuses
for absences _____
- ✓ Higher absenteeism rate than
other employees for colds, flu, etc. _____
- ✓ Frequent unscheduled short term
explanation _____

2. On-the-Job Absenteeism:

- ✓ Continued absences from work site _____
- ✓ Frequent trips to water cooler
or bathroom _____
- ✓ Long breaks (i.e., coffee breaks) _____
- ✓ Physical illness on job _____

3. High Accident Rate:

- ✓ Accidents on the job
- ✓ Frequent trips to nurse
- ✓ Accidents off job
(affecting job performance)

4. Difficulty in concentration:

- ✓ Work requires great effort
- ✓ Job takes more time
- ✓ Possible hand tremor while
concentrating

5. Confusion:

- ✓ Difficulty in remembering
- ✓ Increasing difficulty in
handling complex assignments
- ✓ Difficulty in recalling past
mistakes

6. Spasmodic Work Patterns:

- ✓ Alternating patterns of very high
and very low job performance

7. Appearance:

- ✓ Coming to or returning to work in
an obviously abnormal condition

8. Generally Lowered Job Efficiency:

- ✓ Misses deadlines
- ✓ Makes mistakes due to inattention
or poor judgment
- ✓ Wastes more material
- ✓ Makes bad decisions
- ✓ Complaints from clients

9. Employee Relations On-the Job:

- ✓ Over-reacts to real or imagined criticism
- ✓ Wide swings in mood or morale
- ✓ Borrows money from co-workers
- ✓ Complaints from co-workers
- ✓ Unreasonable resentments
- ✓ Begins to avoid associates
- ✓ Additional Comments:

Section V

SUPERVISOR'S ROLE – DOCUMENT!

Proper and careful documentation is an essential part of supervision on all levels and is necessary at all times for efficient County operations. Proper documentation provides an authentic record of what has taken place in the past and helps to avoid the lack of clarity that sometimes occurs when one attempts to evaluate an employee's performance based on "memory." The effective use of documentation procedures is critical to the success of the program.

It is most important that the supervisor understands that documentation should cover problems that occur on-the-job only. Mention of incidents that take place outside the work setting could be construed as an invasion of privacy. The County can only legitimately become involved when an off-the-job problem interferes with job performance, or when the employee's actions qualify as conduct unbecoming a county employee. When any off-the-job problems create job performance difficulties, however, the difficulties should be carefully viewed in light of maintaining his/her job.

It is very important that you record in detail any unsatisfactory job performance and all of the unusual activities of the employee you believe to be "troubling." This is important for several reasons. First, you must be able to show the employee exactly how and when his or her performance has deteriorated. Second, in the case of an employee grievance, valid documentation of employee activities is essential. Finally, a careful record of employee performance will enable those involved in the program to diagnose and treat the employee's problem more accurately.

To document a performance problem (or any other unusual activity) correctly, you should record the employee's name; the date, time, and place of the incident; a brief description of what happened and all individuals who were involved. If any time is lost or materials are damaged, this should also be noted.

It is important that the documentation is written! As supervisors, you should document any behavior on the job that stands out as unusual, sub-normal performance (e.g., accident, unexcused absence, missed meeting, poor public relations, and low productivity). Documentation of unusual events helps the supervisor to identify a change in job performance. It is important to document the date and time of the event. You never know when you will need to retrieve this information. Documentation is also critical and necessary, especially if the job performance problem leads to termination. Without adequate documentation, you will have problems supporting your decision.

1. **DOCUMENT JOB PERFORMANCE** – these are areas in which a decline may occur:

Productivity:

- Quantity -- % (percentage) below standards or expectations.
- Quality – kinds of errors or mistakes made:
 - ✓ Sloppy work
 - ✓ Half completed and/or poorly completed jobs
 - ✓ Missed deadlines
 - ✓ Missed meetings
 - ✓ Missed appointments

Absenteeism on and off the job:

- ✓ Number of days missed, compared to average employee
- ✓ Time away from work place
- ✓ Long coffee breaks and long bathroom breaks
- ✓ Unexcused time away from job
- ✓ Chronic tardiness
- ✓ Accidents: disregard for safety procedures
- ✓ Inappropriate behavior on the job
- ✓ Sleeping on job
- ✓ Intoxication
- ✓ Wasting time
- ✓ Sexual harassment
- ✓ Illegal activity
- ✓ Violating policies and procedures or not following standard operating procedures
- ✓ Wastes materials
- ✓ Poor judgment and decisions
- ✓ Inability to get along with co-workers and supervisors

NOTE: These are general categories to document

REMEMBER: Document facts, observable, verifiable behavior, objective (not subjective) performance data.

2. REASONS FOR DOCUMENTATION:

You are not a computer:

- ✓ It is impossible to remember all the facts in your head

Hindsight is not 20/20:

- ✓ When evaluating a decline in performance objectively with an employee without a written record, you may remember the good and forget the negative, or remember the negative and forget all the good work done

Litigious Society:

- ✓ You may need to keep a written record to support disciplinary actions (i.e., grievance, arbitration or termination hearings)
- ✓ Part of the Performance Evaluation Interview: documentation gives credibility to your performance concerns; employees cannot dispute what is written in black and white

IMPORTANT NOTE: Avoid any direct reference to the ESSS in the employee's personnel file unless such is needed to support a disciplinary action.

Section VI

SUPERVISOR'S ROLE – CONFRONT!

1. **CONSTRUCTIVE CONFRONTATION POLICY:** Constructive Confrontation is designed to assist you as a supervisor in motivating a problem employee to do the following:

- Manage and correct his/her personal problem
- Improve job performance

This is widely used to motivate the employee toward seeking help that will prevent serious consequences from occurring if the problem is not resolved.

2. **CONSTRUCTIVE CONFRONTATION PROCEDURE:**

- Documentation – it is vital that you have in your possession at the time of the initial confrontation accurate documentation of the employee's job performance. (Include date and time of all absences, tardiness, rule violations, behavior that is abnormal, attitude changes or unusual activities).
- Initial Confrontation (informal):
 - ✓ Be firm (confrontation)
 - ✓ Be fair (constructive)
 - ✓ Be consistent (both)

During the process, set the atmosphere/tone of the meeting. Relax, start with small talk. At the appropriate time, confront the employee and encourage feedback.

- Confrontation topics include:
 - ✓ Employee's poor work performance
 - ✓ Changes in the employee's behavior
 - ✓ Possible disciplinary steps
 - ✓ Union contract provisions
 - ✓ Effect on other employees
 - ✓ Effect on employee's work record

During this phase, also offer assistance in a constructive manner:

- Offer emotional support
- Show concern for the employee's welfare
- Allow the employee to verbalize (i.e., explanation of his/her behavior)
- Listen to personal problems
- Explain County Personnel and ESSS policies
- Offer to call the ESSS for the employee and to set up an appointment

Expect these possible reactions from the employee:

- Denial of drug and/or alcohol abuse, or other personal problems
- Arguing his/her fitness-for-duty
- Arguing circumstances leading up to the referral
- Being very cooperative

It is important that you, as a supervisor, remain calm and objective. Let the employee know that you are concerned, that the County values the employee and that you want to assist the employee. HOWEVER, be firm; make it clear to the employee that job performance must be brought up to a satisfactory level and maintained. Give the employee a set time frame in which to accomplish this task. Schedule another informal meeting within two weeks.

Section VII

SUPERVISOR'S ROLE – REFER, FOLLOW-UP, REINTEGRATE OR INITIATE PROGRESSIVE DISCIPLINE!

Supervisors are in the best position to observe the employee and are most knowledgeable concerning job expectations. In this sense, supervisors are also in a very good position to make ESSS referrals. The steps that follow are an overview of the supervisor's role when making an ESSS referral:

1. **REFER** – in the event that the employee accepts the referral into the ESSS (and with the employee's written authorization) the following takes place:
 - In cases of mandatory referrals, you, the supervisor, will be able to receive progress reports from ESSS to advise you of the employee's compliance with the contracted requirements of the Program
 - Within two weeks of discharge from primary treatment, you will be notified of the employee's discharge from the ESSS, and given both the positive and negative factors with regard to the discharge
2. **FOLLOW-UP** – supervisors who have referred employees for treatment with the ESSS should do the following:
 - Continue to monitor job performance
 - Continue to observe the employee's behavior
 - Continue to support the employee's positive efforts toward problem resolution
 - Continue the progressive disciplinary process until resolution is achieved
 - Confront the employee at the earliest sign of job performance deterioration; use the constructive confrontation strategy

3. **REINTEGRATE** – following successful completion of an employee's primary treatment for substance abuse, the supervisor can request a back-to-work interview with the employee and the ESSS counselor/case manager; at this meeting four issues are covered:
 - Supervisor's expectations
 - Employee's responsibilities
 - Employee's special needs (i.e., after-care)
 - ESSS's continuing role
4. **INITIATE PROGRESSIVE DISCIPLINE** – if all of the above efforts fail in bringing the employee to an acceptable and consistent level of work, progressive discipline may be the only option available for use.

Section VIII

COMMON MISTAKES OF SUPERVISORS

There are certain common mistakes that supervisors often make in refusing to deal with performance problems related to an employee's personal problems. Read and avoid these mistakes:

1. **The Stigma.** Many people still regard mental and nervous problems as well as substance abuse, as social and moral disgraces rather than as health problems. The supervisor, who should be anxious to help salvage a valuable employee, sometimes finds the employee's personal problems too embarrassing to deal with. It is easier to ignore or cover up the problem until it becomes so blatant and disruptive that the supervisor feels justified in terminating the employee. Thinking of mental and nervous problems or substance abuse, as treatable illnesses will help eliminate this stigma.
2. **The Fear of jeopardizing someone's Career.** Sometimes a supervisor feels that referring an employee to the Employee Support Services Section will brand that person as unstable and destroy the employee's future in the County. This is clearly contrary to the viewpoint expressed in Dade County policy; the County wants to keep, not terminate, good employees. The supervisor may be the one person in a position to see that a troubled employee gets the help needed (is this being a destructive informant or a supervisor who really cares about the employee?).
3. **The Time Excuse.** Supervisors often believe (or hope) that a problem will work itself out in time. Nervous and mental problems, as well as substance abuse problems, are progressive diseases not improved by time. The longer they go untreated, the worse they get and the worse the employee's work performance gets.
4. **The Fear of Losing a Good Worker.** A supervisor may feel obligated to protect a person who was, or still is, a good worker... (When the individual works).
5. **The Fear of Making a Mistake.** The supervisor who is uncertain about the source of a performance problem may fail to take action even when job performance has definitely declined. If you are in doubt about a specific case, just call the ESSS Manager or anyone else connected with the program. That's why we have an Employee Support Services Program to answer your questions and to help County employees.

6. **The “It’s My Problem; I’ll Solve It” Attitude.** Some supervisors feel a responsibility to try to solve every problem that arises in their unit. However, mental and nervous problems, as well as substance abuse, are medical problems requiring qualified assistance.
7. **The Skid-Row Stereotype.** People who grew up with the misconception that only skid-row bums are alcoholics can’t believe that someone they associate with every day is really an alcoholic or other substance abuser. Alcoholism is a disease.
8. **The Supervisor’s Own Personal Problems.** Supervisors are no less prone to serious problems than other employees are. Like any other employees, before admitting a problem, they probably harbor guilt and anxiety about their particular problem. It’s not surprising, therefore, that troubled supervisors may react with suspicion—even unconscious hostility—toward an Employee Support Services Program. Supervisors who present personal problems should be referred to the program by their own supervisors, and/or should refer themselves.
9. **Other concerns and excuses for refusing to deal with performance problems related to an employee’s personal problems:**
 - Fears loss of employee’s confidence/support
 - Jeopardizing the employee’s ability to make a living
 - Does not like confrontations
 - Fears possible loss of productivity
 - Lacks training on the referral process
 - Fears for personal safety

Section IX

LEGAL CONSIDERATION

1. **Permitting an Intoxicated Employee to Drive Home.** Under no circumstances should an employer permit, encourage or condone an employee in an obviously intoxicated or drug influenced state to leave the work place as the driver of the employee's or County's vehicle.
2. **Arranging a Ride for an Intoxicated Employee.** The employer should request the employee to remain at the work place and, during the interim; the employer should attempt to make other arrangements for sending the employee home. For example, the employer may call a member of the employee's family. If the intoxicated employee becomes aggressive and abusive, the employer should consider contacting the police.
3. **Suspending an Employee's Driving Privileges.** The employer should consider suspending employee driving privileges, pending an investigation into an incident. In the event the employer is reasonably satisfied that the employee was under the influence of alcohol or non-prescription drugs, the employer may condition the employee's return to work on the employee's participation in an alcohol or drug treatment program.

Employers cannot be too firm in how they handle employees who are intoxicated during the course of the working day. Remember, that regardless of an employer's humanitarian concern for the employee, the employer has significant legal responsibilities for the safety of other employees and the public at large.

Section X

EMPLOYEE'S QUESTIONS ABOUT THE ESSS

1. WHAT IS AN EMPLOYEE SUPPORT SERVICES PROGRAM?

The ESS Program is an employer-paid employee benefit for the employee and his/her family. The ESS Program is created to help people find solutions to their problems.

2. WHAT IS AN ESS PROGRAM FOR?

A comprehensive ESS Program is for an employee, supervisors and eligible family members.

3. IN SIMPLE TERMS, HOW DOES THE ESS PROGRAM WORK?

A person with a problem meets with a degreed Professional Counselor to identify the problem and plan a resolution.

4. HOW AND WHY DOES COUNSELING WORK?

Counseling offers, a new perspective and hope for change by helping us see ourselves by our thoughts, our feelings, and plans for the future.

5. WHY MIGHT ONE BE AFRAID TO GO FOR COUNSELING?

Some feel that only weak people need help from others and that only crazy people go to a "shrink."

6. WHAT ARE THE MOST COMMON PROBLEMS PEOPLE TAKE TO THE ESSS?

Marital and family, stress, anxiety, worry, depression, and concerns about possible substance abuse.

7. WHAT ARE AN EMPLOYEE'S RIGHTS WITH REGARD TO ENROLLING IN THE ESSS?

(1) Job Security: this cannot be jeopardized by participation in the ESSS. (2) Refusal to go: jobs are retained or lost based on performance only. (3) Confidentiality: nothing can be shared with anyone without the employee's written consent.

8. DOES THE EMPLOYEE PAY FOR ESSS's SERVICES?

There is no out-of-pocket expense incurred for participation in the ESSS. In some cases, the employee's health insurance may pay for the ESSS's professional assessment sessions and case management, but there is never a co-payment.

9. WHAT ABOUT PAYMENT FOR REFERRAL SERVICES?

Usually the employee's health insurance pays for both outpatient and inpatient services as needed for both the employee and eligible family members. However, routine co-payment is required.

10. **HOW CAN WE BE SURE ESSS's RECORDS ARE KEPT OUT OF ONE'S PERSONNEL FILES?**
ESSS's records are considered medical records and cannot be released to anyone without the person's written consent.
11. **WHY WOULD AN EMPLOYEE CHOOSE TO GO TO THE ESSS RATHER THAN GOING DIRECTLY TO OTHER TREATMENT SOURCES?** The ESSS controls ineffective utilization and costs and helps the employee find the most appropriate help for a given problem.
12. **WHAT IS THE ESSS's TRAINING AND PREVENTION COMPONENT?**
The ESSS training sessions are designed to encourage trust and employee participation as needed. Training is provided for employees, management, supervisors, and labor union leaders.
13. **HOW AND WHERE DOES ONE GO FOR AN APPOINTMENT?**
One can call (305) 375-3293 to make a regular appointment between 8:00 a.m. and 5:00 p.m., Monday through Friday. Appointment for emergency/crisis situations can be made anytime during work hours. If you have an emergency when the ESSS is closed, call your insurance health care provider or 911. ESSS is located at 140 West Flagler, Suite 1001, Miami, FL., 33130.
14. **WHAT IS AN ESSS ASSESSMENT?**
An assessment is an attempt to make a professional diagnosis of one's problem. In all cases, we use a case-history psychosocial inventory. Psychosocial testing and psychiatric evaluation can be arranged.
15. **WHAT HAPPENS WITH A REFERRAL FOR TREATMENT?**
Referrals are made within a professional network, carefully selected and credentialed by both the ESSS and the employees' health care insurance provider. At the time a referral is arranged, the client receives an explanation of referral treatment costs, coupled with an appraisal of insurance and family resources available for treatment.
16. **WHAT KINDS OF PROFESSIONAL SERVICES ARE AVAILABLE?**
Through the ESSS, we can arrange for mental health services and alcohol or substance abuse counseling. We also refer for financial counseling.
17. **WHERE ARE REFERRALS MADE?** ESSS referrals are made to the least confining, least expensive and yet suitable treatment resources. These include self-help groups, group counseling sessions, couples or family sessions and individual sessions, in either outpatient or inpatient treatment facilities.

18. **WHAT KINDS OF PROFESSIONALS ARE USED FOR REFERRALS?**
We refer only carefully selected psychiatrists, psychologists, clinical social workers, certified clinical mental health counselors, marriage and family therapists, addiction professionals, and financial and legal counselors. All of these are either licensed or certified by the State of Florida, as well as by their professional organizations.
19. **WHAT WILL THE ESSS DO FOR MANAGEMENT AND SUPERVISORS?**
The ESSS will consult with supervisors on how to best communicate with an employee who seems to have a problem affecting his or her work. Training on successful referral strategies and utilizing your ESSS as a management tool are available upon request.
20. **WHY WOULD AN EMPLOYER PROVIDE AN ESSS FOR EMPLOYEES?**
National studies show an employer can save as much as six dollars for every dollar invested in an ESSS. This savings comes in the form of reduction in lost time due to tardiness and absenteeism, reduction in on-the-job accidents, and a significant reduction in unemployment compensation claims. The greatest savings are in helping a troubled employee stay employed rather than having to terminate the person, then recruit, and train a replacement.
21. **WHAT IS A SUPERVISOR'S RESPONSIBILITY WITH ESSS?**
Supervisors can refer employees whose job performance seems to be affected by personal problems. Supervisors should not try to diagnose or treat personal problems. Supervisors should take their own problems seriously and go to the ESSS for help as well as other employees.
22. **COULD GOING TO THE ESSS CAUSE AN EMPLOYEE TO LOSE THEIR JOB?**
Jobs are lost or retained totally based on performance, not based on an individual's having problems. If a personal problem is affecting one's work, going to the ESSS may help save a job.
23. **HOW DOES DRUG TESTING RELATE TO THE ESSS?**
The ESSS does not perform drug testing. Miami-Dade County, through Administrative Order #7-27 calls for alcohol and drug screening with pre-employment, with reasonable cause and with county-provided physical examinations. The county is allowed to require drug testing in cases of any reasonable suspicion. A positive drug test during a pre-employment physical eliminates the possibility of employment. Employees who who test positive for drugs are mandated to participate in the Employee Support Services Section as a condition for continued employment. A second positive drug test could result in termination.

24-. **WHAT ARE THE MOST IMPORTANT THINGS TO REMEMBER ABOUT THE EMPLOYEE ASSISTANCE PROGRAM?**

Remember these four “C’s”:

- ✓ **Confidentiality**—information is not released without the written consent of the employee/client
- ✓ **Counseling**—professional counseling is given to people who want to help themselves
- ✓ **Comprehensive**—the ESSS takes problems seriously by utilizing:
 - Professional assessments
 - Expeditious referrals
 - Timely counseling
 - Structured aftercare
 - Comprehensive follow-up
 - Employee orientation sessions to acquaint workers with the services of the program
 - Supervisory training sessions to equip supervisors in using the ESSS as a tool of effective management

Cost—there is no out-of-pocket expense for any ESSS center help given to Miami-Dade County employees or eligible family members. ESSS services either are covered by the employee's health insurance or are free of charge. Referral treatment or services are generally covered by the employee's health insurance; however, your treatment service provider will charge the routine co-payments you normally pay for doctor visits.

Section XI

MANAGEMENT AND SUPERVISORS' QUESTIONS ABOUT THE ESSS

1. **QUESTION:** HOW WIDESPREAD ARE EMPLOYEES' PERSONAL PROBLEMS, WHICH MAY BE Affecting THE WORK PLACE LOCALLY?

ANSWER: PSYCHOLOGY TODAY IN OCTOBER 1998 RANKED MIAMI AS "THE THIRD MOST STRESSFUL CITY IN THE U.S."

ANSWER: THE GREATER MIAMI CHAMBER OF COMMERCE IN 1999 RELATES THE OBSERVATIONS THAT "IN SOUTH FLORIDA, SUBSTANCE ABUSE IS BEYOND NATIONAL PROPORTIONS."

- In South Florida, one in ten employees uses illegal drugs
- Drug abuse costs South Florida businesses more than \$1 billion each year
- More than 70 percent of those arrested by Miami police "stings" are employed in the Miami-Dade County area
- If you think it is not happening among your employees, you're almost certainly wrong
- Because South Florida is a major source of drug imports, the increased availability that results accentuates the threat and the losses to business of all sizes

2. **QUESTION:** IN WHAT WAYS DO EMPLOYEES' PERSONAL PROBLEMS IMPACT PRODUCTIVITY IN THE WORK PLACE?

ANSWER: XEROX CORPORATION IN A 1980 STUDY OF ITS OWN 3,500 U.S. BASED EMPLOYEES WITH ALCOHOLISM OR OTHER ADDICTIONS, SHARED "THE CHARACTERISTIC PROFILE OF THE WORKER WHO STRUGGLES WITH PROGRESSIVELY DISABLING ADDICTIONS."

- The alcoholic or addict is absent twenty-two (22) more days a year than the average employee is
- The alcoholic or addict uses company benefits twice as much as other employees
- The alcoholic or addict is responsible for and a victim of more than sixty percent (60%) of job related injuries
- The alcoholic or addict is responsible for and a victim of more than fifty percent (50%) of transportation accidents.

ANSWER:

THE UNITED STATES CHAMBER OF COMMERCE IN 1997 EXPLAINED THE IMPACT IN TERMS OF "PERSONAL PROBLEMS COMPRISING THE EMPLOYER'S GREATEST SINGLE LIABILITY AGAINST PRODUCTIVITY."

- 20% of all employees account for 80% of all job tardiness and absenteeism
- 29% of all employees between the ages of 20-40 years old have used illicit drugs within the last year; 19% within the last month

3. QUESTION:

TO WHAT EXTENT DOES EMPLOYEE'S PERSONAL PROBLEMS AFFECT PRODUCTIVITY IN THE WORK PLACE?

ANSWER:

THE UNITED STATES CHAMBER OF COMMERCE ASSIGNED THIS FORMULA TO MEASURE THE IMPACT OF EMPLOYEES SUFFERING WITH PERSONAL PROBLEMS AND TO SHOW THE HIDDEN LOSS FOR EMPLOYERS WITHOUT AN EMPLOYEE ASSISTANCE PROGRAM:

- A troubled employee is estimated to work at only 75% efficiency 10 to 25% of the employees of any company are presumed to have personal problems affecting their job performance at any given time
- Consider this formula for measuring the cost of **NOT** having an Employee Assistance Program

AVERAGE ANNUAL EMPLOYEE WAGE
X
10% OF TOTAL EMPLOYEES
X
25% IN LOST EFFICIENCY
=
CONSERVATIVE ESTIMATE OF ANNUAL LOSS TO EMPLOYER!

4. QUESTION:

WHAT DETAILED STUDIES ARE AVAILABLE TO MEASURE THE IMPACT OF PERSONAL PROBLEMS IN THE ABSENCE OF AN EFFECTIVE EMPLOYEE ASSISTANCE PROGRAM?

ANSWER:

DR. CAROL LEHMAN, EAP DIRECTOR WITH GENERAL MOTORS CHEVROLET-PONTIAC-CANADIAN DIVISION, MEASURED THE IMPACT OF EMPLOYEES' PERSONAL PROBLEMS IN THE ABSENCE OF AN EFFECTIVE EMPLOYEE ASSISTANCE PROGRAM.

The 1991-1996 research supplies hard dollar “bottom line” evidence of losses due to substance abuse:

- To every \$1.00 of lost productivity of troubled workers suffering from substance abuse, while actually on the time clock...
- Add an additional loss of \$1.81 due to absenteeism and un-clocked tardiness related to the substance abuse
- Add an additional loss of \$0.269 due to secondary medical insurance costs related to the primary substance abuse
- This calculated to a total loss of \$3.079 for every \$1.00 of lost productivity by the employee, suffering from substance abuse, while he/she was actually on the time clock
- 78.9% of OCCUPATIONAL ACCIDENTS were caused by employees who suffer from substance abuse, but who constitute only 15% of the total work force
- 85.6% of EXCUSED SICK LEAVE ABSENCES were incurred by the same 15% who suffer from substance abuse

5. **QUESTION:** TO WHAT EXTENT CAN THE EMPLOYEE SUPPORT SERVICES SECTION HELP RECOVER LOSSES IN PRODUCTIVITY?

ANSWER: GENERAL MOTORS MEASURED RECOVERY OF PRODUCTIVITY WITH AN INTENSIVE REVITALIZATION OF ITS EMPLOYEE ASSISTANCE PROGRAM:

- 40% reduction in CLOCKED-IN TIME LOST
- 50% reduction in DISCIPLINARY ACTIONS
- 50% reduction in ON-THE-JOB ACCIDENTS
- 60% reduction in TIME LOST DUE TO SICK LEAVE AND UNEXCUSED ABSENCE

6. **QUESTION:** WHAT OTHER STUDIES ARE AVAILABLE TO MEASURE THE POTENTIAL IMPACT OF AN EMPLOYEE ASSISTANCE PROGRAM ON PRODUCTIVITY?

ANSWER: THE UNITED STATES CHAMBER OF COMMERCE STUDY, DRAWN FROM CORPORATE INTERNAL STUDIES COMPLETED IN 1998, CITED OTHER EMPLOYERS WHICH SHOWED CONSISTENTLY ENCOURAGING RESULTS FROM THE IMPLEMENTATION OF THEIR EMPLOYEE ASSISTANCE PROGRAM:

- KIMBERLY CLARK has shown a 70% decrease in job related accidents among EAP participants
- GENERAL MOTORS FISHER BODY DIVISION experienced a 52% decrease in grievances and disciplinary actions
- RUSSELL CORPORATION found a 12.6% decrease in turnover and a 39% decrease in voluntary terminations in the first year of their EAP. They report an overall savings of \$9.00 for every \$1.00 spent on the EAP
- NORTHERN RAILWAY found a 52% decrease in absenteeism and 78% decrease in grievances among employees participating in EAP
- PHILADELPHIA POLICE DEPARTMENT, with 170 employees served by the EAP, showed a 38% decrease in sick days and a 62% decrease in the number of injury days during a one-year period
- ILLINOIS BELL TELEPHONE reported 46% fewer cases of sickness disability, a 63% decrease in off-duty accidents, and an 81% decrease in on the job accidents among employees in an EAP
- INTERNATIONAL HARVEST reported a 39% decrease in disability payments for EAP users
- MC DONNELL-DOUGLAS, in an extensive study of the effects of EAP on insurance claims, found a 43% decrease in claims among alcohol problem employees treated as outpatients, a 47% decrease in claims among alcohol problem employees treated as inpatients, and 82% decrease in claims among non-alcohol problem employees treated as out-patients

- ITT found that of employees who used EAP, 81% have remained on their jobs
- J.C. PENNEY found that 75% of the employees, with declining productivity, who used EAP, returned to satisfactory or above- satisfactory performance evaluations
- MOST STUDIES show a success rate for alcoholism referrals through EAP (the most difficult problem to treat) at 50 to 80%, while social service agencies show 20 to 40%